

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JENNIFER LYNN SMITH,

Plaintiff,

Case No. 18-11327

v.

HON. AVERN COHN

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION (Doc. 18)
AND
DISMISSING CASE

I.

This is a social security case. Plaintiff Jennifer Lynn Smith, proceeding pro se, appeals from the final determination of the Commissioner of Social Security (Commissioner) that she is not disabled and therefore not entitled to disability insurance benefits. The matter was referred to a magistrate judge for all pretrial proceedings. The magistrate judge directed plaintiff to file a motion for summary judgment. Plaintiff failed to do so and did not respond to a subsequent order to show cause.

On August 22, 2019, the magistrate judge issued a report and recommendation (MJRR), recommending that any unbriefed non-obvious claims of error be waived and dismissed under Rule 41(b). The magistrate judge also concluded that the Commissioner's decision contains no obvious errors requiring reversal or remand and therefore recommended that the findings of the Commissioner be affirmed.

II.

Neither party has filed objections to the MJRR and the time for filing objections has passed. The failure to file objections to the report and recommendation waives any further right to appeal. Smith v. Detroit Federation of Teachers Local 231, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the motions. Thomas v. Arn, 474 U.S. 140, 149 (1985). The Court has reviewed the MJRR and agrees with the magistrate judge's recommendations.

Accordingly, the findings and conclusions of the magistrate judge are ADOPTED as the findings and conclusions of the Court. Any unbriefed non-obvious claims of error are WAIVED and DISMISSED under Rule 41(b). The decision of the Commissioner is AFFIRMED. This case is DISMISSED.

SO ORDERED.

Dated: 9/18/2019
Detroit, Michigan

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE